

THE FACTORS UNDERLYING THE 82ND TEXAS LEGISLATURE'S DECISION TO RESTRICT ACCESS TO FAMILY PLANNING IN TEXAS

PI: ABIGAIL AIKEN, MD, MPH

Background

During the 2011 Legislative Session, the 82nd Texas Legislature enacted a series of laws affecting women's access to family planning. These laws included reducing the state family-planning budget by two-thirds (from approximately \$50 million to \$15 million per annum); directing funds away from dedicated family planning services; discontinuing the 90% federally-funded Medicaid Women's Health Program; and instituting a mandatory sonogram and a 24-hour waiting period as requirements for access to abortion services. The impacts of these types of legislative decisions are likely to disproportionately affect women of low-income and ethnic minority groups, impairing access to the most effective methods of birth control and increasing the risk of unintended pregnancy.

Statement of Purpose

This study investigates the factors underlying legislators' voting behavior on family planning issues. It examines the historical legislative context in which the 2011 legislation arose, and evaluates the role of partisan divisions in voting on family planning issues while identifying other contributory factors.

Methodology

The study involved both qualitative and quantitative components. To study the historical trend in family planning legislation in Texas and to compare it with trends in the composition of Republicans and Democrats in the legislature, we identified and analyzed all bills relating to family planning both proposed and voted upon by the Texas Legislature between 1991 and 2011. We then constructed a dataset combining roll-call record votes for the Texas House from 1991-2011 with legislator and constituency characteristics. We employed a Bayesian factor probit model to identify correlations between legislators' votes and candidate explanatory factors, comparing two legislative sessions, 2011 and 2003, in which Republicans were the majority, but which had very different outcomes for family planning policy.

Key Findings

Over the past 20 years, family planning in Texas has evolved from a sideline issue to a center-stage debate on access to abortion, contraception, and reproductive healthcare. Legislation has become dramatically more restrictive, yet there was a time when Republicans and Democrats voted together to increase public funding for contraception and promote access to reproductive health services. Our comparison of the 2003 and 2011 legislative sessions yields several important insights with respect to legislative voting behavior on family planning. First, although partisanship is important, it does not consistently predict variation in voting behavior on family planning bills. Second, partisan polarization on family planning bills was not markedly more extreme in 2011 than it was in 2003. Finally, above and beyond the influence of partisanship, there is a strong propensity to vote in favor of restrictive bills when the legislator identifies as Catholic or comes from a high-poverty district, and against these bills when the legislator's constituency includes a high percentage of single-parent families or non-citizens.

Conclusion

Even in the highly polarized 2011 session, partisanship does not fully account for voting behavior on family planning issues. Demographic factors may be germane in understanding how the passage of similar legislation will unfold and how it will influence future access to family planning services both in other states and at the national level.